

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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United States of America,

Plaintiff,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Martin Vega Hernandez a/k/a
Emanuel, and Michael Eugene
Seebeck,

Defendants. Crim. 06-379 (02)(10)(MJD/RLE)

* * * * *

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. That the Motion of the Defendant Martin Vega Hernandez to Suppress Eyewitness Identification [Docket No. 234] is denied.
2. That the informal Motion of the Defendant Michael Eugene Seebeck to Suppress Statements is denied.
3. That the informal Motion of the Defendant Michael Eugene Seebeck to Suppress Evidence Obtained by Search and Seizure is denied.

4. That the Government's informal Motion to allow the admission of the pre-Miranda statement by the Defendant Michael Eugene Seebeck, during his interview of February 8, 2007, is granted for the limited purpose of impeaching that Defendant, in the event that Seebeck testifies at the time of Trial.

DATED: August 3, 2007
At Minneapolis, Minnesota

s / Michael J. Davis
Michael J. Davis, Judge
United States District Court